IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

Crl.Rev.Pet.No. 1097 of 2000

CRL.A.NO.108/2000 OF SESSIONS COURT, KOTTAYAM,
MC.NO.15/1999 OF JUDL. MAGISTRATE OF FIRST CLASS, VAIKOM.

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PETITIONERS/ APPELLANTS/ CR. PETITIONERS 2 AND 3:

1. **MR. DEVANANDAN, S/O. RAGHAVAN, KALLUVELIL HOUSE, VELLOOR KARA, MEVELLOOR.P.O., VAIKOM - 686 609.**

2. **MR. THOMAS, S/O. MATHAI, MUNDIYIL HOUSE, THALAYOLAPARAMBU KARA, VADAYAR VILLAGE, VAIKOM TALUK, KOTAYAM DISTRICT.**

BY ADV. SRI.P.V.VIJAYAKUMAR.

RESPONDENT/RESPONDENT/PETITIONER:

STATE OF KERALA, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. K.C. SANTHOSH KUMAR.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 25/10/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY, J.

Crl.R.P.No.1097 OF 2000

Dated 25th October, 2007

ORDER

Petitioners were sureties to the accused in a criminal case. Annexure A4 proceedings show that several times the case was adjourned for the presence of the accused. Finally non-bailable warrant to the accused and notice to the sureties were issued. Since notice to the sureties were not returned, repeated notice was issued to the sureties and non-bailable warrant was again issued to the accused on 30.10.1999. Notice to surety No.2 served and notice to surety No.1 served was declared sufficient and since accused was absent, bail bond was cancelled. No reply to the notice was filed and finally Rs.5,000/=each was ordered to be paid by the sureties as penalty which is the amount on bail bond. In appeal, the amount of Rs.5,000/= each was reduced to Rs.3,000/= each. It is the contention of the petitioners that in the judgment of the Sessions Judge it is stated that notice was not served on the sureties, but, that is only the contention repeated by the Sessions Judge. The Sessions Judge also stated thereafter that notice was actually issued, but, they did not respond. In these circumstances, I am of the view that no interference is required in

the impugned judgment.

The revision petition is dismissed.

J.B.KOSHY
Judge

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